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February , 2012

BY ECF

Hon. Nina Gershon
U.S. District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Re: United States v. Alexander Zaretser
10 Cr 771 (S-1) (NG)

Dear Judge Gershon:

On January 30, 2012, I previously wrote to Your Honor seeking permission for Mr. Zaretser to travel to Atlantic City, New Jersey, overnight with his girlfriend from February 3 to February 4, 2012, and also, to travel to the State of Pennsylvania with his girlfriend and their children from February 21 to February 24, 2012.

By a letter filed after 7:00 p.m. on February 1, 2012, the government wrote to Your Honor in opposition to those requests that “any trip outside the greater Brooklyn area makes it less likely that Pre-trial Services would be able to effectively monitor this defendant,” and that while the government “did consent to a family Christmas-time trip for Zaretser to Pennsylvania, his present requests have become excessive.” See ECF Document 189 at page 2. Before I had an opportunity to reply to the government’s letter, by mid-day the next morning, the requests to travel were denied by Your Honor.

I apologize to the Court for the short advance notice, at least, for the Atlantic City travel request. This will never happen again. In addition, I was unaware at the time that the requests should have been made, in the first

instance, to the duty Magistrate-Judge.

In any event, by this letter, I am respectfully asking Your Honor to reconsider Mr. Zaretser's request that he be permitted to travel with his girlfriend and their children, to the Wolfgang Lodge in Scranton, Pennsylvania, from February 21 to February 24, 2012. This renewed request is primarily made on behalf of their five children, who are 6, 7 8, 9 and 14 years old. The children will be off from school that week, and were looking forward to and excited about staying there. In reality, the government's opposition to this request is only punishing the children, who are clearly innocents.

For Your Honor's information, Mr. Zaretser, who is a U.S. citizen with no prior criminal record, self-surrendered to the authorities in this case. He is not a flight risk and was released on bail with standard conditions. He has at all times complied with the conditions of his Appearance Bond since he was released months ago. The government's "concern" about Pretrial Services being able to effectively monitor Mr. Zaretser if he is permitted to travel to the Wolfgang Lodge in Pennsylvania is unwarranted and is not shared by the Pretrial Services Agency. Indeed, Pretrial Services has consented to this specific travel request. Mr. Zaretser is no longer seeking permission to travel to Atlantic City, New Jersey. And, a request that he be permitted to travel, along with his girlfriend who is a suretor on his Bond, and their children, during winter-recess, is clearly not an excessive request.

For the foregoing reasons, I am respectfully asking Your Honor to grant this travel request.

Respectfully submitted,

/JRF/

James R. Froccaro, Jr.

JRF:tp